

PATENT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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EXAMINER: EL Hady, Nabil

SERIAL NO.: 10/680,662

GROUP: 2152

FILED: 07 October 2003

CASE NO.: CS23283RL

ENTITLED: APPARATUS AND METHOD FOR SHARED NETWORK

PRE-APPEAL BRIEF REVIEW REQUEST

Assistant Commissioner for Patents
Alexandria, Virginia 22313

Sir:

REMARKS

Request for Reconsideration, Informal Matters, Claims Pending

The instant Request has been filed contemporaneously with a Notice of Appeal filed under 37 CFR 41.31 in response to the final Office Action mailed on 17 October 2006. Reconsideration of the claimed invention in view of the discussion below is respectfully requested.

Claims 1-39 are pending.

Allowability of Claims Over Mildh and Kauranen

Rejection Summary

Claims 1 - 39 stand rejected under 35 U.S.C. § 102(e), over Mildh et al U.S. Patent Application No. US-2002/0193139 Mildh et al. (Mildh).

The Office Action further rejects, under 35 U.S.C. § 102(e), Claims 1-39 over U.S. Patent Application No. US-2004/0162077 Kauranen et al. (Kauranen).

Allowability of independent Claims 1, 9, 12, 24, 27, 31 and 33

The passages of Mildh referenced by the Examiner do not support the rejection of Claim 1, 9, 12, 24, 27, 31 and 33. At paragraph [0008], Mildh discusses a method for providing parameters to a mobile station entering a combined or mixed network cell, where the mobile can select different modes of operation corresponding to a plurality of core networks. The parameters indicate which mode of operation the mobile should select. The parameters can be furnished to the mobile station by broadcasting system or packet system information. This is simply not the same as transmitting (from the mobile station to the network) an uplink signaling message on the radio connection, the uplink signaling message including a core network operator identifier as recited in independent claim 1 and similarly in independent claims 9, 24, 31 and 33 (transmitting an uplink signaling message on the radio connection, the uplink signaling message including a core network operator

identifier). Mild discloses providing the parameters from the network to the mobile station.

At paragraph [0033], again Mildh discusses that the network provides information to the mobile station for selecting the mode of operation. Claim 1 and similarly claims 9, 24, 31 and 33 are thus patentably distinguished over Mildh.

The passages of Kauranen referenced by the Examiner do not support the rejection of Claims 1, 9, 12, 24, 27, 31 and 33. Contrary to the Examiner's allegation that all elements are disclosed by Kauranen, the steps of transmitting an uplink signaling message on the radio connection, the uplink signaling message including a core network operator identifier are not. Kauranen discloses that the radio access network (RAN) determines the potentially serving Core Networks and forwards registration requests thereto. Kauranen further goes on to disclose that the RAN thus selects one potentially serving core network at a time until a core network accepts the RAN's request. This is not the same as the steps of independent claims 1, 9, 12, 24, 27, 31 and 33. Therefore, independent claims 1, 9, 12, 24, 27, 31 and 33, and the claims that depend therefrom are in condition for allowance.

Allowability of Claim 12 and 27

The passages of Mildh and Kauranen referenced by the Examiner do not support the rejection of Claim 12 nor claim 27. Mildh, as discussed above does not discuss transmitting (from the mobile station to the network)

an uplink signaling message on the radio connection, the uplink signaling message including a core network operator identifier. Claim 12 recites a method for routing messages in a network that comprises receiving an uplink signaling message (i.e. from the mobile station), the uplink signaling message including a core network operator identifier. Here the network is receiving the uplink message with the core network identifier from the mobile station. Mild discusses providing the parameters to the mobile station. This is simply not the same as receiving an uplink message that includes a core network identifier.

Also similar to above, Kauranen discloses that the radio access network (RAN) determines the potentially serving Core Networks and forwards registration requests thereto. Kauranen further goes on to disclose that the RAN thus selects one potentially serving core network at a time until a core network accepts the RAN's request. This is not the same as receiving an uplink message that includes a core network identifier. Again the mobile station determines the core network by the core network identifier. Claims 12 and 27 is thus patentably distinguished over both Mildh and Kauranen.

Therefore, independent claims 1, 9, 12, 24, 27, 31 and 33, and the claims that depend therefrom are in condition for allowance.

Prayer For Relief

In view of the discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any rejections

and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,

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David S. Noskowitz 16 JAN 2007
REG. NO. 55,503

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